

The prisoners taken were condemned to death, and four of them were shot.

The whole matter was referred for final settlement to the Commissioners of Plantations, whose decision was favorable to Baltimore. Bennett and Matthews, the Virginia Commissioners, then surrendered Maryland to the Proprietary, who re-established his government with Josias Fendall as Governor.

Fendall had not been long in office, when he entered into a plot to render himself independent of the Proprietary, and indeed, to annul Baltimore's authority altogether; so he was superseded, and Baltimore's brother, Philip Calvert appointed Governor. The Proprietary, in person or by deputy, was the Chief Executive, assisted by the Council. The Legislature sat in two Houses, the Governor and Council forming the Upper House, and the elected representatives of the freemen the Lower House. All legislation originated with the Assembly, subject to the Proprietary's assent. The form was, therefore, that of a liberal constitutional monarchy, with popular representation.

In 1661, Charles Calvert, only son of Cecilius, was sent out as Governor. He was liked by the people, and the Province steadily grew and prospered under his administration. A firm treaty of peace had been made with the Susquehannoughs, a warlike nation of Indians at the head of the bay, and the native tribes of Maryland were taken under the protection of the government. Peace reigned throughout the province; and the only serious grievance of the colonists was the over-production of tobacco, which the government in vain tried to check. Money was excessively scarce; and the great staple, tobacco, was the general circulating medium for a hundred years or more.

Cecilius Calvert died in 1675, and Charles, third Baron of Baltimore, succeeded to his title and dominions. During his administration occurred a transaction which was to result in the loss to Maryland of a large part of her territory. William Penn, to whose father's estate the crown owed a large sum, obtained from King Charles II, in lieu of payment, the grant of a tract of land west of the Delaware River and north of Maryland. There was nothing in this grant that encroached upon Maryland's territory, for the fortieth parallel was named in both charters as the southern boundary of the one, and the northern boundary of the other. Penn, however, was extremely anxious to carry his southern boundary to the head of the bay; and after many fruitless attempts to induce Baltimore to agree to a change of a boundary line to his advantage, refused to join him in fixing it, and so the line was